



15m Rce
Docket No.: 1267.1028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Finbar NAVEN, et al.

Serial No. 10/000,036

Group Art Unit: 2631

Confirmation No. 9313

Filed: December 4, 2001

Examiner: KUMAR, PANKAJ

For: PROCESSING HIGH-SPEED DIGITAL SIGNALS

REQUEST FOR WITHDRAWAL OF REQUEST FOR CONTINUED EXAMINATION (RCE)

FILED HEREIN ON FEBRUARY 21, 2006

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants' undersigned counsel mistakenly treated the Office Action of August 18, 2005 as a Final rejection and, accordingly, on the fully extended Response due date of February 21, 2006, filed a Preliminary Amendment with a Petition For a Three-Month Extension of Time and a Request For Continued Examination (RCE).

Since the Office Action was not Final, the application was not qualified for being the subject of a Request For Continued Examination (RCE) and, moreover, did not require a Request For Continued Examination (RCE) to maintain pendency. In short, the Amendment was timely filed and was entitled to entry and consideration.

Accordingly, Applicants request that the Preliminary Amendment, instead, be treated as an - -AMENDMENT- - and provide herewith a substitute cover page so headed, should the Office deem it appropriate to exchange same for the "PRELIMINARY AMENDMENT" cover page as was filed therein.

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Reimbursement of the Request For Continued Examination (RCE) filing fee of \$790.00, authorized to be charged to Deposit Account No. 19-3935 in the transmittal form PTO/SB/30 filed with the Preliminary Amendment on February 21, 2006, is respectfully requested.

Respectfully submitted,

STAAS & HALSEY LLP

Date: March 2, 2006

By: 
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